

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 NICK M. ELTIZAM,

5 Plaintiff,

6 v.

7 CITY OF LAS VEGAS and LAS VEGAS  
8 POLICE DEPARTMENT,

9 Defendants.

Case No. 2:16-cv-01178-APG-CWH

**ORDER DENYING MOTION**

(ECF No. 35)

10 Plaintiff Nick Eltizam alleges that the defendants gave him a ticket for disturbing the  
11 peace and he was subsequently put in jail for four months and six days. ECF No. 4 at 4. I  
12 previously granted defendant Las Vegas Metropolitan Police Department's motion for summary  
13 judgment based on the rule announced in *Heck v. Humphrey*, that if a judgment in the plaintiff's  
14 favor "would necessarily imply the invalidity of his conviction or sentence . . . the complaint must  
15 be dismissed unless the plaintiff can demonstrate that the conviction or sentence has already been  
16 invalidated." 512 U.S. 477, 487 (1994). ECF No. 33.

17 Eltizam filed a document that I construe as a motion for reconsideration. ECF No. 35.  
18 Eltizam does not provide any basis for concluding that his civil claims against the Las Vegas  
19 Metropolitan Police Department are not barred by *Heck*. I therefore deny the motion.

20 IT IS THEREFORE ORDERED that plaintiff Nick Eltizam's motion (ECF No. 35) is  
21 **DENIED.**

22 DATED this 2nd day of August, 2017.

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25 ANDREW P. GORDON  
26 UNITED STATES DISTRICT JUDGE  
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